

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.) CRIMINAL NO. 03-10383-RGS
)
JULIO FRANCO)
Defendant)

GOVERNMENT'S ASSENTED TO MOTION TO CONTINUE TRIAL

Now comes the United States, by its attorneys, Michael J. Sullivan, United States Attorney, and David G. Tobin, Assistant U.S. Attorney, and hereby moves to reschedule the trial in the above-captioned case. The trial is scheduled to commence on January 14, 2008. The United States respectfully requests that the Honorable Court reschedule the trial for anytime after March 14, 2008.

In support of this motion, the United States avers that the undersigned attorney for the government was recently assigned to prosecute United States v. Luis Lopez, Criminal No. 05-10304-GAO, which is scheduled begin trial on January 14, 2008; and that the undersigned attorney for the government and counsel for Julio Franco are exploring the possibility that Mr. Franco may change his plea in the case now before the Court. The requested delay will afford the parties the opportunity to fully explore the possibility of a change of plea.

Counsel for Mr. Franco, Attorney Frank Camera, assented to this motion during a telephone conversation with the undersigned attorney for the government on December 27, 2007.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: s/ David G. Tobin
DAVID G. TOBIN
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) .

/s/ David G. Tobin
DAVID G. TOBIN
Assistant United States Attorney

Date: December 27, 2007